

STATEMENT OF ENVIRONMENTAL EFFECTS



Proposed Place of Public Worship
53 Gregadoo Road, Lake Albert NSW 2650
Lot 4, DP1142732



Prepared for Koorungal Gospel Trust
Rev 2.0 – August 2021



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Proposed Place of Public Worship

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TABLE OF CONTENTS

1	INTRODUCTION	1
1.1	Proposal Summary	1
1.2	Subdivision and Staging	1
1.3	Supporting Plans and Documentation	2
2	APPLICANT AND LAND OWNERSHIP	2
3	SUBJECT LAND	2
3.1	Subject Land and Locality	2
3.2	Site Characteristics	4
3.2.1	Existing Site	4
3.2.2	Surrounding Land	4
3.3	Site History	5
4	DEVELOPMENT PROPOSAL	7
4.1	Proposal Details	7
4.2	Consideration of 2017 Proposal	9
4.3	Other Relevant Details	10
4.3.1	Patronage	10
4.3.2	Hours of Operation	10
4.3.3	Traffic and Parking	10
4.3.4	Landscaping	11
4.4	Site Preparation/Demolition	11
5	INFRASTRUCTURE	11
5.1	Provisions of Essential Services	11
6	PLANNING POLICIES AND GUIDELINES	11
6.1	Relevant Acts & Regulations	11
6.1.1	Integrated Development	11
6.1.2	Biodiversity Conservation Act 2016 No 63	12
6.2	State Environmental Planning Policies	14
6.2.1	SEPP55 – Remediation of Land	14
6.3	Wagga Wagga Local Environmental Plan (LEP) 2010	16
6.3.1	Land Use Zoning	16
6.3.2	Permissibility	17
6.3.3	Variation	17
6.3.4	Consideration of Relevant LEP Clauses	18
6.4	Wagga Wagga Development Control Plan 2010 (DCP)	18
6.4.1	Variations	20
6.5	Other Relevant s4.15 Matters for Consideration	21
7	ENVIRONMENTAL IMPACT ASSESSMENT	22
7.1	Site and Locality Analysis	22
7.2	Noise	23
7.3	Traffic and Parking	23
7.4	Bushfire	23
7.5	Flooding	24
7.6	Flora and Fauna	24
7.7	Natural Resources Sensitivity	24
7.8	Heritage Conservation	24
7.9	Erosion and Sediment Control	25
7.10	Social and Economic Impact	26
7.11	Statement of Environmental Effects Summary Table	26
8	CONCLUSION	27

TABLE OF TABLES

Table 1: Plans and Support Documentation	2
Table 2: Current 88B Instrument Covenants	3
Table 3: Development Activity History	5
Table 4: Applicable Integrated Development	11
Table 5: SEPPs Applying to the Land and Proposal	14
Table 6: Contaminated Land Consideration – Initial Evaluation Data	14
Table 7: Relevant LEP 2010 Zone Objectives	17
Table 8: Relevant DCP 2010 Controls	18
Table 9: Statement of Environmental Effects	26

TABLE OF FIGURES

Figure 1: Subject Land (Source: WWCCGIS 2021)	2
Figure 2: Location Map (Source: Google Maps 2021)	3
Figure 3: Extract of DP1142732 (Source: WWCCGIS Deposited Plans 2021)	4
Figure 4: The site and its surrounds (Source: WWCC GIS 2021)	5
Figure 5: Aerial Photo 1990 (Source: WWCC GIS 2021)	6
Figure 6: Aerial Photo 2014 (Source: WWCC GIS 2021)	6
Figure 7: Aerial Photo 2020 (Source: WWCC GIS 2021)	7
Figure 8: 3D Image of Proposed Meeting Hall (Source: Adaptive Interiors 2021)	8
Figure 9: Gregadoo Road Streetscape – View looking E (Source: SP 2021)	8
Figure 10: Gregadoo Road Streetscape – View looking W (Source: SP 2021)	9
Figure 11: Existing Site Photo – View from Gregadoo Road (Source: SP 2021)	9
Figure 12: Riverina Water County Council Assets Map (Source: DBYD 2021)	11
Figure 13: Essential Energy Assets Map (Source: DBYD 2021)	11
Figure 14: APA Assets Map (Source: DBYD 2021)	11
Figure 15: WWCC Sewer and Stormwater Assets Map (Source: WWCCGIS 2021)	11
Figure 16: NBN Assets Map (Source: DBYD 2021)	11
Figure 17: Biodiversity Values Threshold Result Summary (Source: DP&E 2021)	13
Figure 18: Biodiversity Values Map (Source: DP&E 2021)	13
Figure 19: Existing Site Photo (Source: SP 2021)	15
Figure 20: Potentially Contaminated Register Mapping (Source: WWCCGIS 2021)	16
Figure 21: Land Zoning Map (Source: WWCCGIS 2021)	16
Figure 22: Extract from Site Analysis Plan (Source: Luke Pietrobon Engineering 2021)	22
Figure 23: Photo of site – view from Gregadoo Road (Source: SP 2021)	22
Figure 24: Gregadoo Road streetscape view – looking E (Source: SP 2021)	23
Figure 25: AHIMS Search Extract (Source: OEH 2021)	24
Figure 26: Erosion & Sediment Control Plan (Source: Koorungal Gospel Trust 2021)	25

Proposed Place of Public Worship

Gregadoo Road, Lake Albert NSW 2650

1 INTRODUCTION

1.1 Proposal Summary

The following Statement of Environmental Effects (SEE) has been prepared in support of the construction of a proposed place of public worship at 53 Gregadoo Road, Lake Albert. The premises will take the form of a dwelling styled building and be used as a local meeting room for the Koorungal Gospel Trust.

The site is zoned R5 Large Lot Residential under Wagga Wagga Local Environmental Plan 2010 (LEP2010) and a place of public worship is permitted with consent under this zoning.

The SEE addresses the following prescribed matters:

- *the environmental impacts of the development,*
- *how the environmental impacts of the development have been identified,*
- *the steps to be taken to protect the environment or to lessen the expected harm to the environment,*
- *any matters required to be indicated by any relevant guidelines issued by the Planning Secretary - NSWDPPE.*

The purpose of the development is to provide a meeting place for members of the Koorungal Gospel Trust to undertake religious worship in accordance with the directions of their faith. It will eventually replace an existing meeting room located in Koorungal. Similar existing premises in other suburbs of Wagga Wagga, which have received Council and community approval, have operated without complaint since their establishment.

Considerable detail has been placed in the design of the premises to ensure both compatibility with the surrounding residential character and amenity, and complimentary to the streetscape and surrounding residential built environment.

A previous development application was lodged in 2017 for a similar proposal on this site. However, following the receipt of a number of objections, the application was withdrawn to enable further consideration of the design and particular operational details, together with additional community consultation to address concerns raised by neighbours.

Prior to the making of this application, pre-DA meetings were held with Council on 28/9/20 and 15/3/21 where the following points were noted that have been addressed in the preparation of this revised proposal:

- Limitation of attendees to reduce potential impact on local residential amenity
- Redesign of site layout to increase landscaping areas and reduce hardstand areas
- Modification of building and front fence design to be more compatible with streetscape
- Outline of local community consultation to address specific concerns
- Preparation of a draft Operational Management Plan to be considered with the DA

The revised development application SEE and supporting information will demonstrate that the proposal is appropriate for the site and location, and will operate without any detrimental impact on surrounding residences and other land uses in the immediate precinct.

1.2 Subdivision and Staging

The proposal does not involve subdivision or staging.

1.3 Supporting Plans and Documentation

The SEE shall be read in conjunction with accompanying plans and support documentation as listed below in Table 1.

Table 1: Plans and Support Documentation

Accompanying Documents			
Ref:	Description	Rev	Prepared By
1	Proposal Plan Set Drawing Schedule - 05122020 - 1 General Notes - A05122021 - 2 Landscape Plan 07122020 - 1 Site Plan - A16012021 - 1 Floor Plan - A16012021 - 2 Elevations - A16012021 - 3 Section Views - A16012021 - 4	1 0 1 1 1 1 1	Luke Pietrobon Engineering and Design Services
2	Landscape Plan - 00001	B	Adaptive Interiors
3	Neighbour Sentiment Analysis Report - 29/10/2019	1	Geoff Napier
4	Operational Management Plan	1	Salvestro Planning

2 APPLICANT AND LAND OWNERSHIP

The applicant and landowner is the Koorungal Gospel Trust. The directors of the Trust have given their consent for the proposal and lodgement of the development application.

3 SUBJECT LAND

3.1 Subject Land and Locality

The subject land is known as Lot 4 DP1142732, 53 Gregadoo Road, Lake Albert, as identified in the mapping extract below.

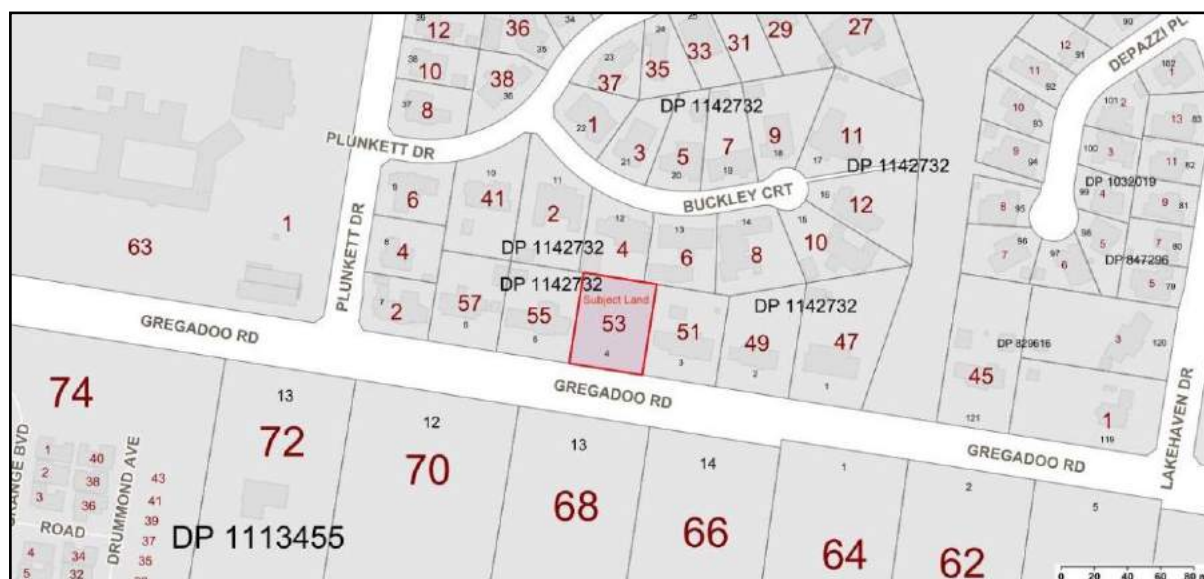


Figure 1: Subject Land (Source: WWCCGIS 2021)

The subject site is located on the northern side of Gregadoo Road with a total of 45m of street frontage. The site encompasses an area of approximately 2518m². The general location of the land is shown in the figure below, relative to the CBD of Wagga Wagga.

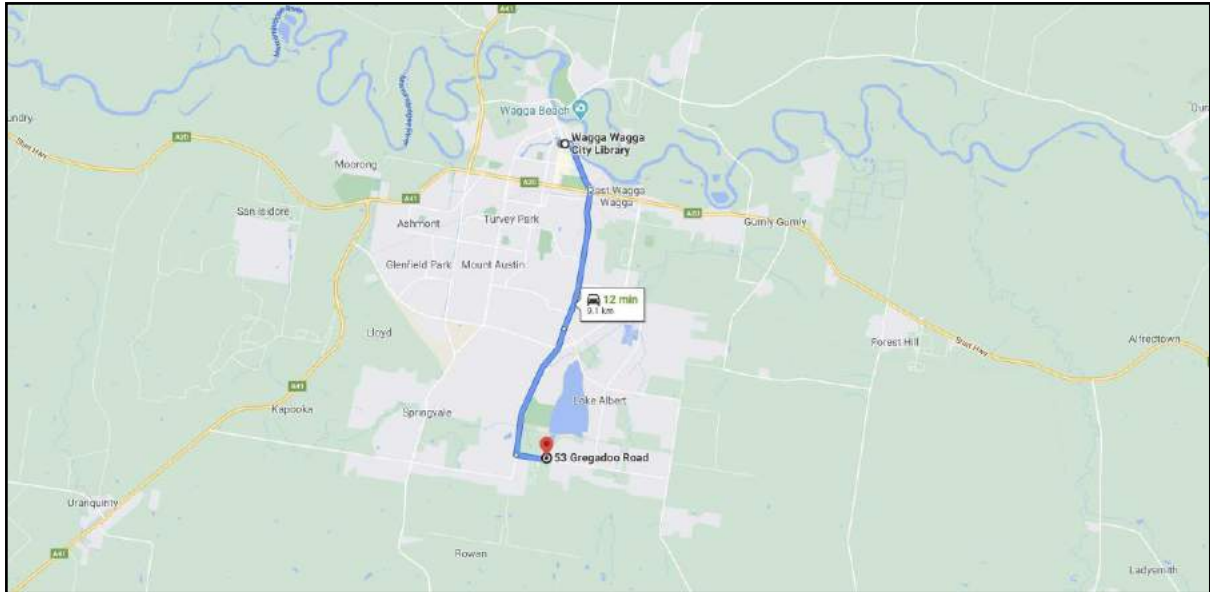


Figure 2: Location Map (Source: Google Maps 2021)

The site currently has one easement as shown in the deposited plan (DP) extract below. The DP and s88B instrument for the site has several positive covenant building envelope and construction restrictions.

Table 2: Current 88B Instrument Covenants

Consideration of 88B Covenants	
88B Covenant	Comment
Front setback – 15m	Complies
Side setbacks – 2m	Complies
Rear setbacks – 2.5m	Complies
Easements – 2.5m sewer and water	Complies
Maximum building height 6.75m above natural ground level	Complies
Vehicular access Within 4m of the common boundary indicated by 'AC' on the plan	Complies
Main building floor area Not less than 140m ²	Complies
Materials of construction Proposed brick veneer, metal roof	Complies
Private dwelling house restriction	The restriction is inconsistent with LEP2010 land use controls which permit other land uses in addition to a private dwelling house. The restriction has no binding effect and is negated under the provisions of Clause 1.9A(1) of the LEP.

Clause 1.9A(1) of LEP2010 suspends any agreement, covenant or other similar instrument that restricts the carrying out of that development on the subject land. A *Place of public worship* is a permissible land use within the R5 Large Lot Residential zone and must be considered on its merits.

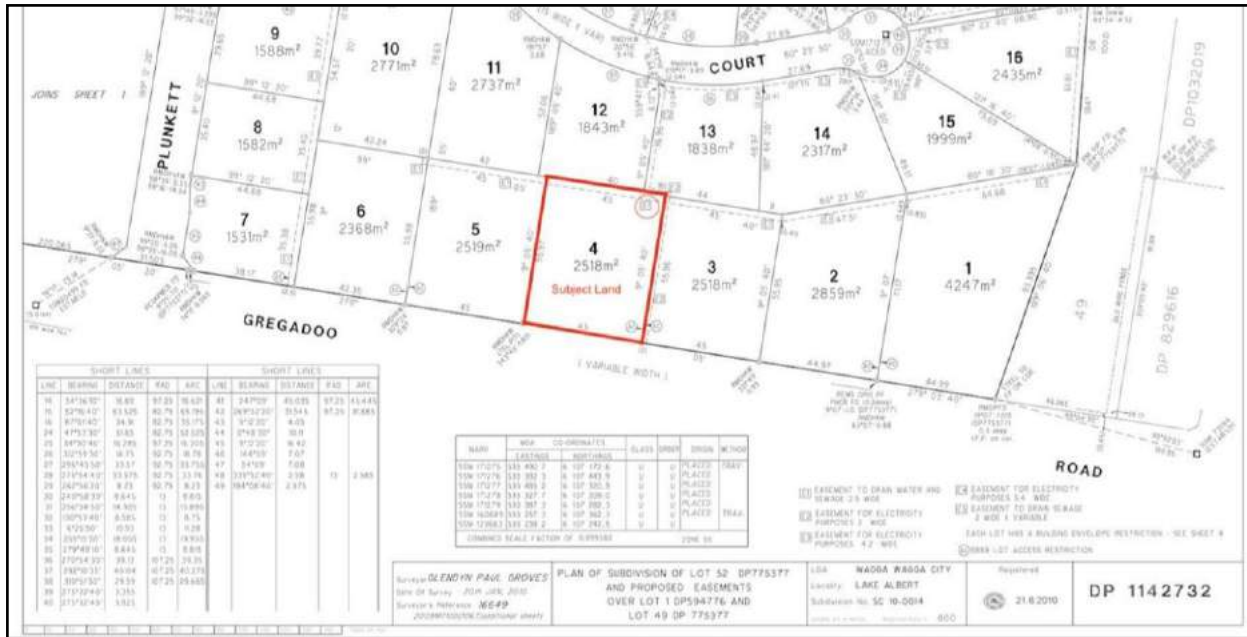


Figure 3: Extract of DP1142732 (Source: WWCCGIS Deposited Plans 2021)

3.2 Site Characteristics

3.2.1 Existing Site

The existing site is currently vacant. A colour bond fencing along the north, east and western boundaries separates the site from neighbouring dwellings. The site is served by an existing concrete driveway that adjoins the neighbouring property to the east.

A temporary construction security fence has also been erected across the Gregadoo Road frontage of the block for public safety purposes. (see images below).

3.2.2 Surrounding Land

The site is located within the suburb of Lake Albert and is part of the "Lakehaven" precinct that is characterised by low density R5 residential development to the immediate north, east and west. The site fronts Gregadoo Road which is a local arterial road (classified road) that connects Plumpton Road to Main Street and Mitchell Road further east.

Other surrounding land uses include the Mater Dei primary and secondary school precinct, childcare centre, Lake Albert foreshore and walkway/cycleway, other large lot residential and a self-care housing retirement village known as "The Grange".



Figure 4: The site and its surrounds (Source: WWCC GIS 2021)

3.3 Site History

Historically, the land forms part of the traditional land of the Wiradjuri people. The land was progressively acquired and subdivided during post European settlement.

Following the establishment of the Mater Dei School complex in 2003, subdivision of land for large lot residential to the east of Plunkett Drive progressively occurred. Lot 4 DP1142732, 53 Gregadoo Road, was created in 2010 and subsequently acquired by the applicant.

Council records indicate that Lot 4 has been subject one previous development application in 2017 that was in relation to a similar proposal to this matter, however, was withdrawn to address local community concerns.

Table 3: Development Activity History
Review of Development Activity History

Activity	Date	Description
DA02/0229	23/01/2003	Proposed Subdivision DA
CC03/0032	16/01/2003	Proposed Subdivision CC
DA17/0295	27/11/2017	Proposed Place of public worship – application withdrawn



Figure 5: Aerial Photo 1990 (Source: WWCC GIS 2021)



Figure 6: Aerial Photo 2014 (Source: WWCC GIS 2021)



Figure 7: Aerial Photo 2020 (Source: WWCC GIS 2021)

4 DEVELOPMENT PROPOSAL

4.1 Proposal Details

The proposal involves the construction of a place of public worship at 53 Gregadoo Road, Lake Albert. The premises will take the form of a dwelling styled building and be used as a local meeting room for the Koorinal Gospel Trust.

The purpose of the development is to provide a meeting place for members of the Koorinal Gospel Trust to undertake religious worship in accordance with the directions of their faith. The proposed new premises will replace an existing meeting room located at 8 The Boulevard, Koorinal (corner of The Boulevard and Paull Street). This premises has operated for over 45 years without any incidences of local community complaint or documented negative impact on local amenity. The reason for relocation to Gregadoo Road is to be closer to where most members of their community are located.

The proposal involves the following key elements:

- Construction of a meeting hall premises in the style of a residential dwelling
- Materials of construction consistent with the local area including face brick & metal roof
- Proposed building to include a meeting room, lobby, amenities, porch and garage areas
- 13 carparking spaces including a garage and 1 disabled space
- Associated landscaping and driveway hardstand areas
- Total building footprint area of approximately 282.5m², including porch and garage

Considerable detail has been placed in the design of the premises to ensure both compatibility with the surrounding residential character and amenity, and complimentary to the streetscape and surrounding residential built environment.



Figure 8: 3D Image of Proposed Meeting Hall (Source: Adaptive Interiors 2021)



Figure 9: Gregadoo Road Streetscape – View looking E (Source: SP 2021)



Figure 10: Gregadoo Road Streetscape – View looking W (Source: SP 2021)



Figure 11: Existing Site Photo – View from Gregadoo Road (Source: SP 2021)

4.2 Consideration of 2017 Proposal

A previous development application was lodged in 2017 for a similar proposal on this site. However, following the receipt of a number of objections, the application was withdrawn to enable further consideration of the design and particular operational details, together with additional community consultation to address concerns raised by neighbours.

In 2019, the applicant received a copy of all submissions and, following analysis of concerns, undertook further direct consultation with residents in the local neighbourhood. The background, methodology and resulting outcomes from this exercise are summarised in report titled "*Neighbour Sentiment Analysis Report*", dated 29/10/19, that accompanies this SEE.

Consultation included a visit to each adjoining and adjacent residence, letter drop and open invitation to an on-site "BBQ" day held on Saturday 12 October 2019 from 1pm to 2pm.

The direct consultation with neighbours assisted in clarifying the purpose and nature of the proposal. Overall, the general neighbour sentiment was considered accepting of the proposal. Only one neighbour attended the "BBQ" day.

Further analysis was undertaken of other existing meeting halls throughout Wagga Wagga, including premises located in Bourkelands and Tatton approved by Council and the community in 2009 and 2010 respectively. Those premises are approved with much greater levels of patronage and hours of operation than is being proposed by this development (7 days per week & up to 180 persons). Since that time there have been no complaints or any documented evidence of negative or detrimental impact on the local residential amenity or well-being of the local neighbourhood.

4.3 Other Relevant Details

Other relevant details in relation to the operation of the proposed premises are outlined below. A draft Management Plan accompanies this SEE that will be implemented to ensure no detrimental impact to the local neighbourhood occurs as a result of the ongoing use of the site as proposed. This will support the development details provided below.

4.3.1 Patronage

A limit of 50 persons at any one time on the premises.

4.3.2 Hours of Operation

Sunday 6:00am – 7:00am

Monday 6:00pm – 7:00pm

4.3.3 Traffic and Parking

It is well documented from the operation of other existing premises that an average 5 persons per household attend each service. The majority travel in one vehicle only.

As the centres are located on a typical neighbourhood basis, at least 30% of families would walk to the premises, thereby reducing the incidences of traffic movement on and off the site.

The proposal does not meet the threshold of *traffic generating development* under SEPP (Infrastructure) 2007, due to its limited operational times and level of patronage. The local street system would have adequate capacity to accommodate the proposal. All vehicles will be able to enter and leave the site in a forward direction.

13 carparking spaces including a garage and 2 disabled space will be provided onsite. Council's DCP2010 Car Parking provisions require at least *1 space/4 seats or 1 space/10m² GFA whichever is greater*.

GFA is defined in the LEP. GFA for this proposal is determined at approximately 189.0m², which requires 19 car parking spaces.

Applying the maximum proposed patronage of 50 persons, at 1 space /4 seats requires 12.5 or 13 car parking spaces.

Previous applications have been assessed by Council on the merits of this type of development proposal and a lesser carparking provision has been accepted. Those approved premises have demonstrated that the carparking provided is adequate and they can operate without incident or complaint.

The proposal's indication of 13 onsite car parking spaces is considered more than adequate to meet expected demand, based on the merits and circumstances involved

with this type of premises. Council is therefore requested to accept a variation to this DCP standard.

4.3.4 Landscaping

The proposal involves extensive landscaping of the site to generally provide the appearance of a typical residence on in a large lot residential environment. Border plantings will screen outdoor areas and car parking area, as well as reducing the impact of driveway hardstand areas.

Proposed landscaping is shown on the accompanying landscape plan.

4.4 Site Preparation/Demolition

No demolition is required as the site is currently vacant. Site preparation in relation to the proposed building, carpark, landscaping and driveway forms part of this application.

5 INFRASTRUCTURE

5.1 Provisions of Essential Services

All essential services, including water, electricity, gas, telecommunication, sewer, drainage, road network and garbage services, are available in the general area. Connections will be provided in accordance with all relevant Council and Service Provider Guidelines.

6 PLANNING POLICIES AND GUIDELINES

6.1 Relevant Acts & Regulations

Development of the site is subject to the provisions of the Environmental Planning & Assessment Act 1979 & Environmental Planning & Assessment Regulations 2000.

In addition, certain other Acts and regulations are applicable to the development as referred to in the following table.

6.1.1 Integrated Development

The proposed development is not integrated development.

The table below assesses the proposal against section 4.46 of the EP&A Act 1979.

Table 4: Applicable Integrated Development

Consideration of S4.46 of the EP&A Act 1979		
Act	Approval	Comment
<i>Coal Mine Subsidence Compensation Act 2017</i>	<i>Approval to alter or erect improvements, or to subdivide land, within a mine subsidence district.</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
<i>Fisheries Management Act 1994</i>	<i>Aquaculture permit</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	<i>Permit to carry out dredging or reclamation work</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	<i>Permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of an such land or lease</i>	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.

	Permit to: (a) set a net, netting or other material, or (b) construct or alter a dam, floodgate, causeway or weir, or (c) otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
Heritage Act 1977	Approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57 (1)	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
Mining Act 1992	Grant of mining lease	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
National Parks and Wildlife Act 1974	Grant of aboriginal heritage impact permit	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
Petroleum (Onshore) Act 1991	Grant of production lease	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
Protections of the Environment Operations Act 1997	Environment protection licence to authorise carrying out of scheduled development work at any premises.	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	Environment protection licence to authorise carrying out of scheduled activities at any premises (excluding any activity described as a "waste activity" but including any activity described as a "waste facility").	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
	Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity.	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Section.
Roads Act 1993	Consent to: (a) erect a structure or carry out a work in, on or over a public road, or (b) dig up or disturb the surface of a public road, or (c) remove or interfere with a structure, work or tree on a public road, or (d) pump water into a public road from any land adjoining the road, or (e) connect a road (whether public or private) to a classified road	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
Rural Fires Act 1997	Authorisation under section 100b in respect of bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.
Water Management Act 2000	Water use approval, water management work approval or activity approval under part 3 of chapter 3	Not Applicable, proposal does not meet criteria for consideration as integrated development under this Act.

6.1.2 Biodiversity Conservation Act 2016 No 63

The proposal is not likely to significantly affect threatened species. The site is vacant.

Development or activity is likely to significantly affect threatened species if:

- *it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in Section 7.3*

Applying the biodiversity test in Section 7.3 concludes that the proposed development will not likely to significantly affect threatened species or ecological communities, or their habitats.

- *the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values*

The development does not exceed the Biodiversity Offset Scheme Entry Threshold as per the below figure.

Date of Calculation	27/07/2021 9:06 AM	BDAR Required*
Total Digitised Area	0.26 ha	
Minimum Lot Size Method	LEP	
Minimum Lot Size	2 ha	
Area Clearing Threshold	0.5 ha	
Area clearing trigger Area of native vegetation cleared	no	no
Biodiversity values map trigger Impact on biodiversity values map(not including values added within the last 90 days)?	no	no
Date of the 90 day Expiry	N/A	

Figure 17: Biodiversity Values Threshold Result Summary (Source: DP&E 2021)

- *it is carried out in a declared area of outstanding biodiversity value*

The development is not within a declared area of outstanding biodiversity value as per the below map.

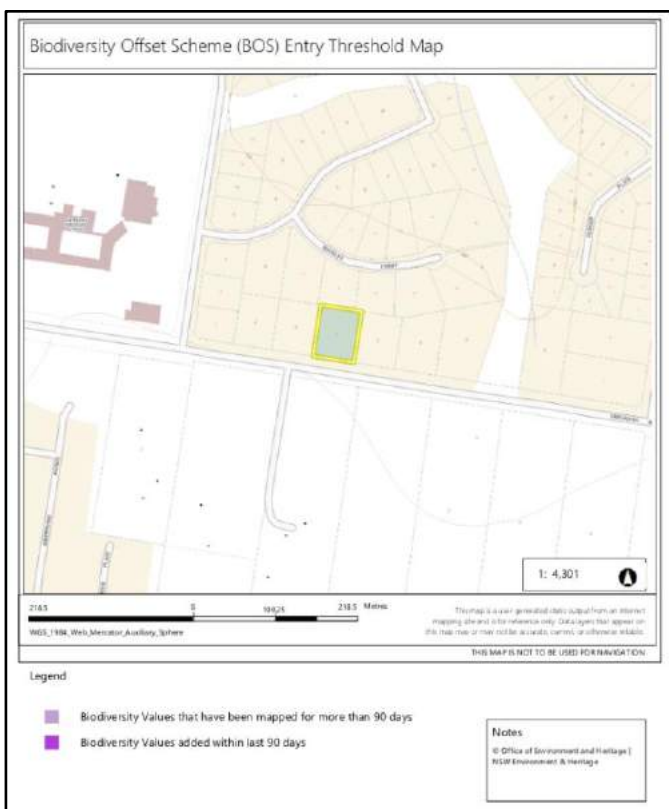


Figure 18: Biodiversity Values Map (Source: DP&E 2021)

6.2 State Environmental Planning Policies

Development consent is required for the proposed development under the provisions of the Environmental Planning and Assessment Act 1979.

The State Planning Controls applicable to this site, as listed by the NSW Planning Portal, are outlined in the table below.

Table 5: SEPPs Applying to the Land and Proposal

SEPP Applicability to the Proposal	
SEPP	Comments
SEPP (Affordable Rental Housing) 2009	Not relevant to proposal.
SEPP (Building Sustainability Index: BASIX) 2004	Not relevant to proposal.
SEPP (Concurrences and Consents) 2018	Not relevant to proposal.
SEPP (Educational Establishments and Child Care Facilities) 2017	Not relevant to proposal.
SEPP (Exempt and Complying Development Codes) 2008	Not relevant to proposal.
SEPP (Housing for Seniors or People with a Disability) 2004	Not relevant to proposal.
SEPP (Infrastructure) 2007	Not relevant to proposal. The proposal is not traffic generating development.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not relevant to proposal.
SEPP (Primary Production and Rural Development) 2019	Not relevant to proposal.
SEPP (Miscellaneous Consent Provisions) 2007	Not relevant to proposal.
SEPP (Primary Production and Rural Development) 2019	Not relevant to proposal.
SEPP (Vegetation in Non-Rural Areas) 2017	Not relevant to proposal.
SEPP21 – Caravan Parks	Not relevant to proposal.
SEPP33 – Hazardous and Offensive Development	Not relevant to proposal.
SEPP36 – Manufactured Home Estates	Not relevant to proposal.
SEPP50 – Canal Estate Development	Not relevant to proposal.
SEPP55 – Remediation of Land	Relevant. SEPP 55 matters to be considered for all developments. See further discussion below.
SEPP64 – Advertising and Signage	Not relevant to proposal.
SEPP65 – Design Quality of Residential Apartment Development	Not relevant to proposal.

6.2.1 SEPP55 – Remediation of Land

Consideration of site contamination is a statutory requirement when considering development applications. Relevant guidelines prepared under State Environmental Planning Policy No.55 (SEPP55) provide an outline of matters to be considered in this respect.

The history of land use of the subject land needs to be considered as an indicator of whether land contamination is a potential issue. Where there is no reason to suspect contamination after acting substantially in accordance with the SEPP55 Guidelines, the proposal may be processed in the usual way. However, where there is an indication that the land is, or may be, contaminated, the appropriate procedures outlined in the SEPP55 Guidelines should be followed.

The following information is provided to assist in an initial evaluation of the proposal in relation to site contamination.

Table 6: Contaminated Land Consideration – Initial Evaluation Data

Initial Evaluation Data	
Consideration of readily available information:	Response
a) <i>current zoning</i>	R5 Large Lot Residential
b) <i>permissible uses</i>	See relevant section below.
c) <i>records from previous rezonings or rezoning requests</i>	Noted.
i. <i>history of land uses including:</i>	See relevant section below.
ii. <i>development applications & building applications</i>	See list above.
d) <i>aerial photo history</i>	See relevant photos included in this report.

Initial Evaluation Data	
e) <i>property file information & site owner information</i>	Historical information on previous development and building approvals were based on client and available information.
f) <i>knowledge of council staff</i>	To be determined by Council during its initial evaluation of the proposal.
g) <i>adjoining property information</i>	Residential development to the north, east and west.
h) <i>site inspection information including photographs</i>	See below.
Checklist questions (from SEPP55 Guidelines)	Response
a) <i>Are there any previous contaminated land investigations available for the site? If so, what were the results?</i>	No.
b) <i>Is there any history of activities, as listed in Table 1 of the Guidelines, on the land, past or present?</i>	No.
c) <i>Was the land at any time zoned for industrial, agricultural or defence purposes?</i>	No.
d) <i>Is there any history of licences, past or present, regulating the use of activities listed Table 1 of Guidelines over the land?</i>	No.
e) <i>Are there any land use restrictions on the land relating to possible contamination (eg EPA or other authority)?</i>	No.
f) <i>Does site inspection data suggest a history of any activities listed in Table 1 of Guidelines?</i>	No.
g) <i>Is there any information concerning contamination impacts on land immediately adjacent the site that could affect the site?</i>	No.



Figure 19: Existing Site Photo (Source: SP 2021)

As shown in the figure below, the subject site is not listed in Council records as potentially contaminated. No potentially contaminating activities have occurred on the site according to all available historical data. A site inspection did not reveal any potential contamination issues on the site. The site is vacant and clear of any rubbish.

Based on the information available and presented in the table above, there is no reason to suspect contamination exists on the subject land. The application is not proposing to intensify or utilise the land for a more sensitive use and therefore it is considered that no further investigation is required, and the proposal may be considered and processed accordingly.

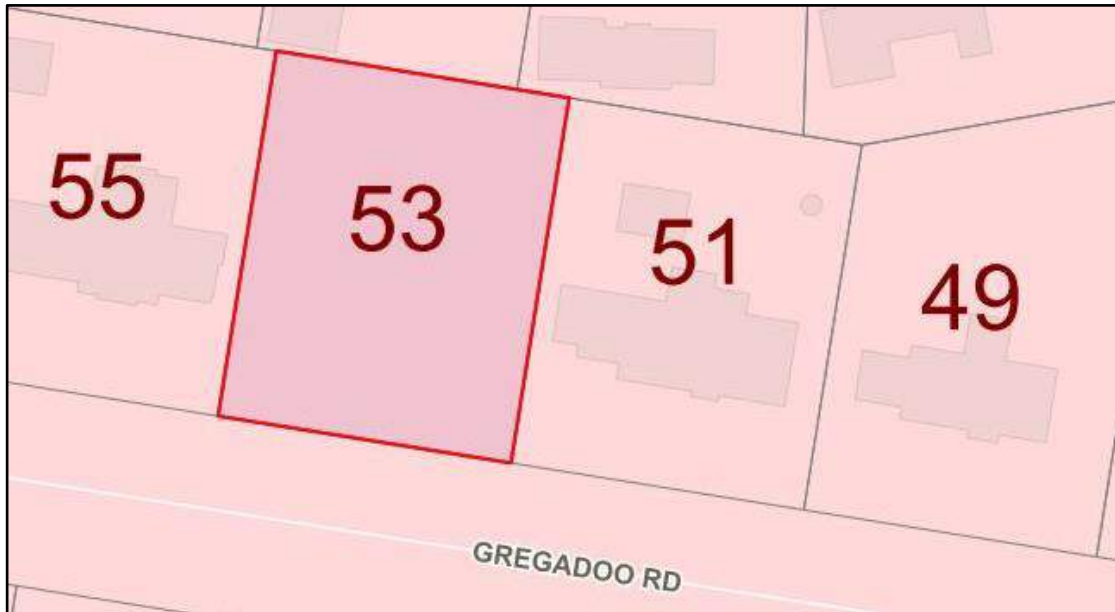


Figure 20: Potentially Contaminated Register Mapping (Source: WWCCGIS 2021)

6.3 Wagga Wagga Local Environmental Plan (LEP) 2010

The site is subject to the provisions of Wagga Wagga Local Environmental Plan 2010 (the LEP).

The particular aims of the LEP are:

- (a) to optimise the management and use of resources and ensure that choices and opportunities in relation to those resources remain for future generations,
- (b) to promote development that is consistent with the principles of ecologically sustainable development and the management of climate change,
- (c) to promote the sustainability of the natural attributes of Wagga Wagga, avoid or minimise impacts on environmental values and protect environmentally sensitive areas,
- (d) to co-ordinate development with the provision of public infrastructure and services.

The proposal satisfies these aims providing a sustainable development on serviced and appropriately zoned land. The development will avoid impacts on environmentally sensitive areas and localities, and provide a facility for the social and economic benefit of the local and wider community. Discussion on applicable sections of the LEP is provided below.

6.3.1 Land Use Zoning

The subject land is zoned R5 Large Lot Residential Zone under the provisions of the LEP, as shown in the figure below.

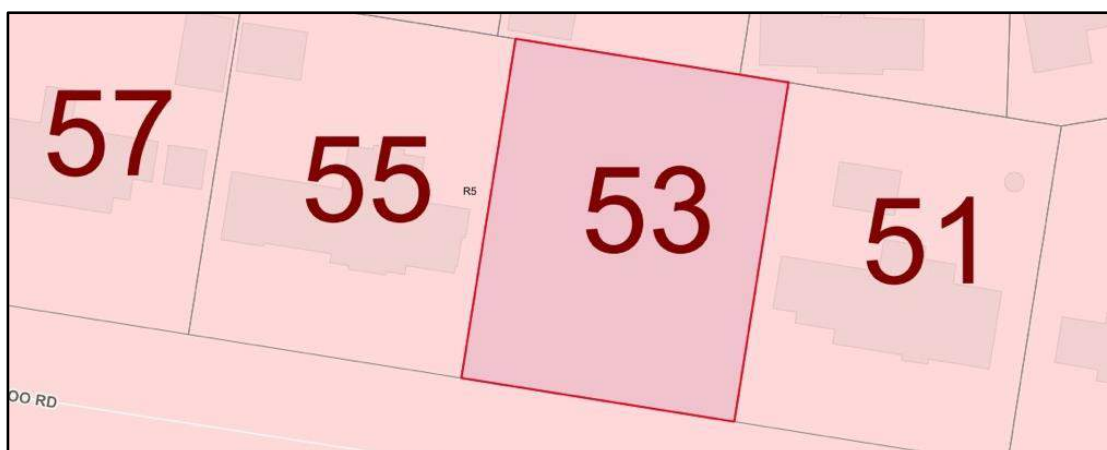


Figure 21: Land Zoning Map (Source: WWCCGIS 2021)

Land Use Table extracts for the Large Lot Residential Zone is provided below:

Permitted without consent

Home businesses; Home occupations; Roads.

Permitted with consent

Dwelling houses; Hardware and building supplies; Home industries; Neighbourhood shops; Oyster aquaculture; Rural supplies; Pond-based aquaculture; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; **Any other development not specified in item 2 or 4.**

Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Attached dwellings; Backpackers' accommodation; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hotel or motel accommodation; Industrial training facilities; Industries; Marinas; Mooring pens; Mortuaries; Multi dwelling housing; Open cut mining; Passenger transport facilities; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Residential flat buildings; Restricted premises; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies.

6.3.2 Permissibility

The proposal requires consent under s2.3 of the LEP as a place of public worship:

Place of public worship means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

A Place of public worship is permissible in the R5 zone.

The Zone Objectives are considered in the table below:

Table 7: Relevant LEP 2010 Zone Objectives

LEP 2010 – Zone R5 Large Lot Residential	
Objective	Comments
<i>To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.</i>	Not inconsistent. The proposal is compatible with the surrounding residential character while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
<i>To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.</i>	Not inconsistent. Lot 4 was created by an earlier DA consent. The proposal does not hinder the proper and orderly development of urban areas in the future.
<i>To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.</i>	Satisfied. The proposal ensures development in the area does not unreasonably increase the demand for public services of public facilities. The proposal will connect to existing urban public infrastructure services.
<i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i>	Satisfied. The proposal will minimise conflict between adjoining residential land uses and zones by ensuring adherence to identified development limitations and constraints, as well as implementing proper management of day to day operations in accordance with the proposal outline and consent.
<i>To ensure that the clearing of native vegetation is avoided or minimised as far as is practicable.</i>	Not Applicable. The site is vacant and the proposal does not involve the clearing of native vegetation.

6.3.3 Variation

No variations to the LEP are required to facilitate the proposed development.

6.3.4 Consideration of Relevant LEP Clauses

In addition to LEP2010 clauses contained in Part 1 (Aims) and Part 2 (Permissibility) discussed above, the following other clauses have been considered in relation to this development proposal:

Part 3 Exempt & Complying Development

3.1 – 3.3 - Not applicable.

Part 4 Principal Development Standards

4.1 – 4.6 - Not applicable.

Part 5 Miscellaneous provisions

5.1 – 5.19 - Not applicable.

Part 6 – Urban release areas

6.1 – 6.5 - Not applicable.

Part 7 – Additional Local Provisions

7.1 – 7.12 - Not applicable.

6.4 Wagga Wagga Development Control Plan 2010 (DCP)

Section 2 of the Wagga Wagga Development Control Plan (DCP) 2010 is relevant to the proposed development and various relevant clauses are considered in the Table below. There are no carry-over provisions of Wagga Wagga Development Control Plan 2005 applicable to the proposal.

Table 8: Relevant DCP 2010 Controls

Section 2: Controls That Apply to All Development		
Clause	Objective/Control	Comments
2.1 Vehicle Access and Movements	<i>C1: Access should be from an alternative secondary frontage or other non-arterial road where possible.</i>	The proposal will implement appropriate vehicular access from Gregadoo road utilising the approved existing driveway.
	<i>C2: A Traffic Impact Study may be required where adverse local traffic impacts may result from the development. The traffic impact study is to include the suitability of the proposal in terms of the design and location of the proposed access, and the likely nature, volume or frequency of traffic to be generated by the development.</i>	Not applicable. The proposal does not involve adverse local traffic impacts.
	<i>C3: Vehicles are to enter and leave in a forward direction unless it can be demonstrated that site conditions prevent it.</i>	Satisfied.
	<i>C4: Provide adequate areas for loading and unloading of goods on site. The loading space and facilities are to be appropriate to the scale of development.</i>	Satisfied. There are adequate areas on site for loading and unloading of vehicles include space in front of the proposed garage area.
	<i>C5: Access driveways are to be located in accordance with the relevant Australian Standard at the time of lodgement of an application.</i>	Satisfied.
	<i>C6: Ensure adequate sight lines for proposed driveways.</i>	Satisfied.
2.2 Off-street parking	<i>Controls – parking rates</i> <i>C1: Parking is to be provided in accordance with the table below. For uses not listed, similar land uses should be used as a guide in assessing car parking requirements.</i>	13 car spaces are provided to minimise conflicts with adjoining residential development, including a garage and 2 disabled spaces.

		DCP requires 19 car parks based on m2 GFA or 13 space based on maximum patronage as proposed that would utilise seating. A variation is requested based on the merits of the proposal, as discussed in section 4.3 of this SEE.
	<i>C2: The design and layout of parking is to be in accordance with the relevant Australian Standard at the time of lodgement of an application.</i>	Satisfied.
	<i>C3: Parking spaces are to be provided for disabled persons. Accessible parking spaces to comply with the relevant Australian Standard at the time of lodgement of an application.</i>	Satisfied. 2 disabled spaces are provided.
	<i>C4 – C8:</i>	Not applicable.
	<i>C9: Provide trees within the parking area at a rate of 1 tree per 5 spaces in a row. Each tree to have a minimum mature spread of 5m and to be located in a planting bed with minimum width of 1.5m (between back of kerbs) and minimum area of 3.5m2.</i>	Satisfied. See landscaping plan.
	<i>C10: Planting beds located within a car park are to have a subsoil drainage system connected into the stormwater system of the site.</i>	Satisfied.
	<i>C11: To ensure sightlines are maintained for drivers and pedestrians, trees used within or adjacent to car parking areas shall have a minimum clear trunk height of 2.5m, with shrubs and ground covers not to exceed 500mm in height.</i>	Satisfied. See landscaping plan.
2.3 Landscaping	<i>Landscape design</i> <i>C1: A landscape plan is required for applications for:</i> <ul style="list-style-type: none"> • Commercial and Industrial developments • Residential development (other than dwelling houses). 	Satisfied. See landscaping plan in accompanying documents.
	<i>C2: Natural features at the site, such as trees, rock outcrops, cliffs, ledges and indigenous species and vegetation communities are to be retained and incorporated into the design of the development.</i>	Satisfied. Limited natural features onsite.
	<i>C3: Use native and indigenous plants, especially low water consumption plants in preference to exotic species.</i>	Satisfied. See landscaping plan.
	<i>C4: Trees should be planted at the front and rear of properties to provide tree canopy.</i>	Satisfied. See landscaping plan.
	<i>C5: Provide landscaping in the front and side setback areas, and on other parts of the site to improve the streetscape, soften the appearance of buildings and paved areas, and to provide visual screening.</i>	Satisfied. See landscaping plan.
	<i>C6: Landscaping should provide shade in summer without reducing solar access in winter. Limited use of deciduous species is acceptable where used to achieve passive solar design.</i>	Satisfied. See landscaping plan.
2.4 Signage	<i>General controls for signage and structures</i> <i>C1 – C11:</i>	Not applicable. No signage is proposed.

2.5 Safety and security	<i>C1: Use good site planning to clearly define public, semi-public and private areas.</i>	Satisfied. Clear delineation between Gregadoo Road (public) and the private property.
	<i>C2: Entries are to be clearly visible and identifiable from the street, and are to give the resident/occupier a sense of personal address and shelter. For non-residential uses, administration offices or showroom are to be located at the front of the building.</i>	Not applicable. No administration areas proposed.
	<i>C3: Minimise blank walls along street frontages.</i>	Satisfied. No blank walls along the street frontage.
	<i>C4: Avoid areas of potential concealment and 'blind' corners</i>	Satisfied. Buildings are symmetrical and have minimal 'blind' corners.
	<i>C5: Provide lighting to external entry areas, driveways and car parks in accordance with the relevant Australian Standards. The lighting is to be designed and sited to minimise spill and potential nuisance to adjoining properties.</i>	Satisfied. External lighting to be installed and operated in accordance with these guidelines.
	<i>C6: Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.</i>	Satisfied. Planting and landscaping do not compromise natural surveillance along the street frontage.
	<i>C7: Where a site provides a pedestrian through route the access path is to be clearly defined and sign posted, appropriately lit, and have satisfactory visibility</i>	Not applicable.
	<i>C8: Locate public toilets and rest areas to promote their use, and maximise public surveillance without creating visual intrusion.</i>	Not applicable.
2.6 Erosion and Sediment Control Principles	<i>O1: Protect the environment against soil erosion and loss of soil from construction sites</i>	Satisfied. The proposal will implement a soil & erosion control plan in accordance with Council policy and as indicated in the plan submitted with this proposal.
	<i>O2: Prevent the degradation of drainage systems, waterways and aquatic environments from deposition of soil and foreign material from construction sites.</i>	Satisfied. As outlined above.
	<i>O3: Prevent flood damage of individual properties caused by sediment reducing the flow capacity of the stormwater drainage system.</i>	Satisfied. As outlined above.
	<i>O4: Promote the implementation of erosion and sediment control measures by persons undertaking construction and earthworks activities to prevent the loss of soil from the site.</i>	Satisfied. As outlined above.
2.7 Development adjoining open space	<i>C1 – C4:</i>	Not applicable. There is no adjoining open space.
2.8 Development near high pressure-gas pipeline infrastructure	<i>C1 – C11:</i>	Not applicable. Proposal is not near a high pressure-gas pipeline.

6.4.1 Variations

The following DCP control requires Council consideration for a variation

2.2 Off-street parking	<i>Controls – parking rates C1: Parking is to be provided in accordance with the table below. For uses not listed, similar land uses should be used as a guide in assessing car parking requirements.</i>
-------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Consideration of car parking was discussed in Section 4.3.3 above. Previous applications have been assessed by Council on the merits of this type of development proposal and a lesser carparking provision has been accepted. Those approved premises have demonstrated that the carparking provided is adequate and they can operate without incident or complaint.

The proposal's indication of 13 onsite car parking spaces is considered more than adequate to meet expected demand, based on the merits and circumstances involved with this type of premises. Council is therefore requested to consider and accept a variation to this DCP standard.

6.5 Other Relevant s4.15 Matters for Consideration

- *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority.....:*

There are no known proposed instruments applicable to the development proposal.

- *any planning agreement:*

There are no known planning agreements applicable to the development proposal.

- *the suitability of the site for the development...:*

Based on the above discussion, the site is considered suitable for the development. The applicant also has several other public places of worship which have successfully integrated with surrounding suburbs of residential character such as:

- Weedon Street, Tolland
- The Boulevarde, Koorinal
- Kaloona Drive, Bourkelands
- Stirling Boulevarde, Tatton

The above developments are also situated in areas with residential character and are compatible within the environment. There are no known areas of complaint or identified detrimental impact from the operation of those existing premises.

The subject site has attributes and particular features consistent with those existing sites that justify its suitability for the development.

- *any submissions:*

Council will undertake appropriate public consultation and consider any submissions accordingly.

- *the public interest ...:*

The lack of support from the neighbouring public was a concern with the previous development application made in 2017 – DA17/0295. While the development is permissible, the DA was withdrawn due to growing negative public interest by immediately adjoining residents. In response to the ongoing concern regarding a Public place of worship, a *Neighbour Sentiment Analysis Report* (NSAR) was conducted for the Trustees of Koorinal Gospel Trust in 2019. The main concerns addressed in the NSAR were related to traffic, noise and design. This proposal recognises these concerns and has adjusted the proposal accordingly and should encourage the public interest to be generally supportive.

Overall, the proposal has addressed known community concerns as well as complying with adopted development standards and local policy. Car parking provision requires Council endorsement for a variation to the development control guideline, however, the variation is justified and within the areas of consideration by Council, based on the merits of the proposal and nature of operation and absence of any area of potential detrimental impact.

7 ENVIRONMENTAL IMPACT ASSESSMENT

7.1 Site and Locality Analysis

A site analysis plan is included with the accompanying plan set, with extract provided below.

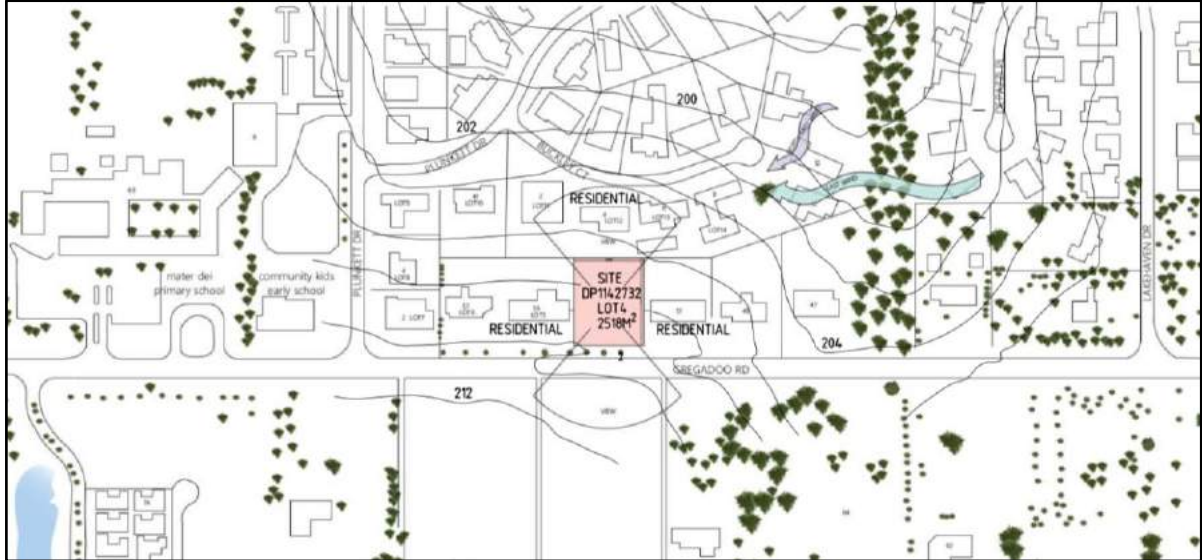


Figure 22: Extract from Site Analysis Plan (Source: Luke Pietrobon Engineering 2021)

The subject site comprises 2,518m² and is located on 53 Gregadoo Road within Lake Albert. The lot is currently vacant with a colour bond fence on the north, east and west of the property boundary. There is currently one driveway providing access to the site from Gregadoo Road, which will be widened in accordance with accompanying plans.



Figure 23: Photo of site – view from Gregadoo Road (Source: SP 2021)

The site is located within the suburb of Lake Albert and is part of the “Lakehaven” precinct that is characterised by low density R5 residential development to the immediate north, east and west. The site fronts Gregadoo Road which is a local arterial road (classified road) that connects Plumptre Road to Main Street and Mitchell Road further east.

Other surrounding land uses include the Mater Dei primary and secondary school precinct, childcare centre, Lake Albert foreshore and walkway/cycleway, other large lot residential and a self-care housing retirement village known as “The Grange”.



Figure 24: Gregadoo Road streetscape view – looking E (Source: SP 2021)

The proposal is consistent in character to the surrounding large lot residential area. There are no obvious issues of incompatibility with surrounding land uses, particularly as the proposal will be undertaken in accordance with an Operational Management Plan to ensure no detrimental impact on surrounding residences.

7.2 Noise

The proposal is not expected to generate excessive noise from onsite activities including meetings, vehicle movement and general movement of people from vehicles to the premises.

Some potential noise emission from vehicles accessing the site, including the opening and closing of doors is expected, however will not be detrimental to the local amenity and generally consistent with similar vehicle movements on other sites in the general area.

The proposal will implement an Operational Management Plan, in accordance with the accompanying draft, that will effectively manage noise emission from the premises. The management plan is similar to plans implemented with other similar approved premises.

7.3 Traffic and Parking

The proposal is not expected to impact negatively on the local traffic network. There is sufficient capacity in the network to accommodate this proposal and it is noted that Council is planning for the widening of Gregadoo Road in the immediate future to accommodate further development in the surrounding area.

The proposal does not meet the threshold of traffic generating development under SEPP (Infrastructure) 2007, due to its limited operational times and level of patronage.

A variation is required to the DCP2010 carparking standards, however, the variation is justified under the circumstances. There is adequate car parking proposed for the development based on the expected level of patronage as outlined in the proposal.

7.4 Bushfire

The subject site is not subject to bushfire hazard.

An AHIMS search extract is shown above, which confirms that within 200m of the site, there are no aboriginal sites recorded or declared places.

In accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW2010)*, generic due diligence process, the following information is provided:

Will the activity disturb the ground surface or any culturally modified trees?

Yes, the development proposed will disturb the ground surface, however will have no impact on any known culturally modified trees. The site is vacant.

Are there any:

a) relevant confirmed site records or other associated landscape feature information on AHIMS?

No (see AHIMS search as discussed above).

b) any other sources of information of which a person is already aware?

No, there are no other known sources of information as determined via Council records and information available to the applicant.

c) landscape features that are likely to indicate presence of Aboriginal objects?

There are no landscape features in the locality that would indicate the presence of Aboriginal objects. It is considered that all due diligence requirements have been fulfilled. An Aboriginal Heritage Impact Permit (AHIP) application is considered to be unnecessary. The development will proceed with caution. If any Aboriginal objects are found, work will be stopped, and relevant authorities notified. If human remains are found, work will be stopped, the site will be secured, and Police and other relevant authorities notified accordingly.

7.9 Erosion and Sediment Control

An erosion and sediment control plan is provided below.

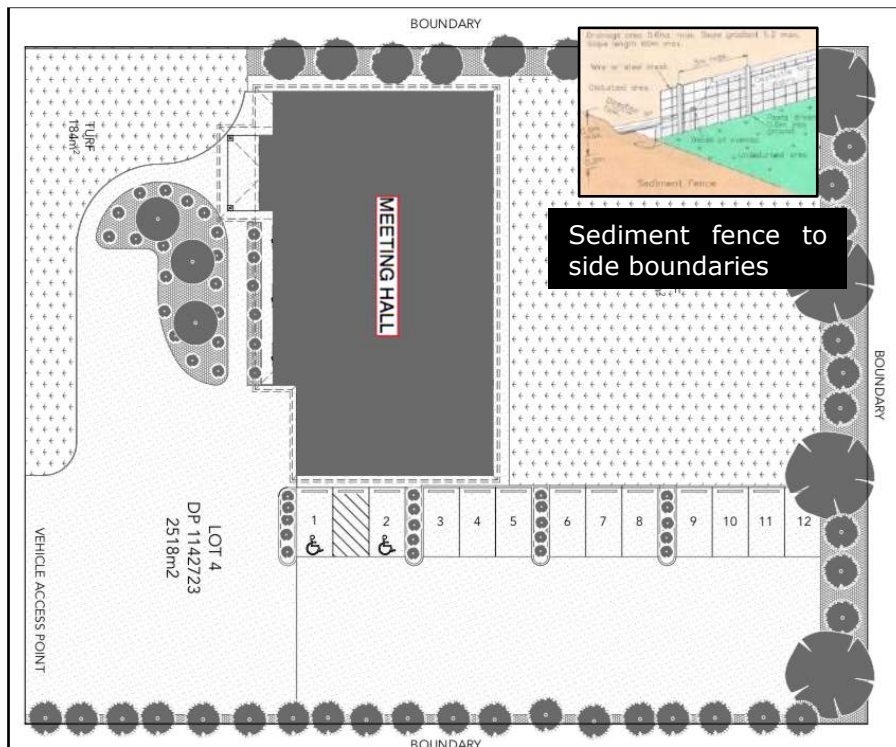


Figure 26: Erosion & Sediment Control Plan (Source: Koorungal Gospel Trust 2021).

7.10 Social and Economic Impact

The proposed meeting hall will provide an important meeting place for the spiritual well-being of the local community who practice this particular religious faith. This has strong positive social impact benefits and is not expected to generate any negative social impact on the immediate local area. The proposal will contribute to building stronger community sentiment in the neighbourhood, particularly through the responsible operation of the premises.

There are also positive economic impacts generated by construction activity, ongoing maintenance of the premises and capital improvements to the site that will improve property values generally.

7.11 Statement of Environmental Effects Summary Table

Table 9: Statement of Environmental Effects

Proposed Place of public worship – 53 Gregadoo Road			
Subject Area	The potential environmental impacts of the development	How the environmental impacts of the development have been identified	The steps taken to protect the environment or to lessen the expected harm to the environment
Context & Setting	Minimal	Visual observation, site and locality analysis.	Appreciation of local character, quality design
Access & Traffic	Minor	Development data, site plans, client information.	Development in accordance with applicable standards and policies. Wide entry to lessen impact on the road.
Infrastructure	Minimal	Analysis of existing infrastructure and provisions.	Connection to existing services in accordance with the requirements of servicing authorities and applicable standards.
Heritage	Nil	Local and State policy, local studies.	Not applicable.
Archaeology	Nil	Local and State policy, local studies.	Due diligence procedures. Proceed with caution and notify any authorities if any artefacts are found.
Land Resources	Nil	Local knowledge, site records.	Appropriate mitigation measures implemented as necessary.
Soils	Nil	Local records, investigation and available history.	Appropriate mitigation measures implemented as necessary.
Air & Microclimate	Minimal	Local knowledge.	Appropriate mitigation measures implemented as necessary.
Flora & Fauna	Nil	Local knowledge, available data.	Not applicable, existing site.
Waste	Minimal	Development proposal information.	Waste disposed of in accordance with legislative guidelines.
Noise	Negligible	Local conditions.	Operations will be in accordance with legislative guidelines.
Natural Hazards	Negligible	Local records.	Minor overland flooding over carpark. Site conditions as existing including building floor levels to remain.
Social Impact	Positive	Local policy and knowledge.	Nature and operation of proposed facility, physical provision of services and amenities on site. Integration with existing accessibility networks.
Economic Development	Positive	Local records and available history	Nature and operation of new proposed meeting hall, integration with existing local economic networks, construction activity, capital site improvements.
Design	Positive	Visual assessment. Local policy and knowledge	Building designed as single storey and dwelling like shape will fit into the residential streetscape.

Proposed Place of public worship – 53 Gregadoo Road			
Subject Area	The potential environmental impacts of the development	How the environmental impacts of the development have been identified	The steps taken to protect the environment or to lessen the expected harm to the environment
Construction	Minimal	Visual assessment. Local knowledge	Appropriate measures and standards implemented as necessary.

8 CONCLUSION

The proposed Place of public worship on the subject land has been considered in respect of current policy and environmental conditions. The applicants have considered the potential impact of this proposal and made several changes to the proposal details to ensure earlier objections are addressed and community positive sentiment is accepting and maintained.

The proposal is justified and permissible, for the following reasons:

- The proposal will operate within in the scope of the operational details outlined in this SEE and managed in accordance with an endorsed Management Plan;
- It satisfies State Environmental Planning Policy provisions relevant to the proposal;
- Is permissible under the relevant provisions of the Wagga Wagga Local Environmental Plan 2010 and meets the objectives of the zone, where applicable;
- Satisfies and complies with the relevant provisions of the Wagga Wagga Development Control Plan 2010, with exception of car parking standards where a variation is requested; and
- Will not have an adverse impact on the environment.

The proposal is submitted to Council for consideration.

20011: Document History

Revision No.	Date	Authorised By		
		Name/Position	Signature	Notes
Rev 1.0 – Draft	27/07/2021	Emily Hewitt Assistant Planner	EH	Preliminary draft for internal review
Rev 1.1 – Edited Draft	29/07/2021	Garry Salvestro Director	GS	Internal & client review prior to lodgement
Rev 2.0		Garry Salvestro Director	GS	Issued for DA lodgement

**This report is prepared by****Salvestro Planning**

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Your Ref: DA21/0492
Our Ref: SP20011
Contact: Garry Salvestro

20/08/21

The General Manager
Wagga Wagga City Council
PO Box 20
Wagga Wagga NSW 2650

ATTN: Amanda Gray

Dear Amanda,

RE: DA21/0492 ADDENDUM – PROPOSED PLACE OF PUBLIC WORSHIP – 53 GREGADOO ROAD LAKE ALBERT

Please see attached additional information as requested on the 13 August 2021:

1. **Amended site plan** – Full site plan, with dimensions, that shows the registered building envelope and the proposed building including porch, fully contained within the envelope; revised driveway width.
2. **Access Driveway** - The access driveway is proposed to be 6.0m in width, as shown on the revised site plan attached. Together with the 0.5m of landscaping proposed along the eastern site boundary, the driveway will then be positioned within 6.5m of the common boundary with Lot 3 (51 Gregadoo Road).

The existing formed driveway serving the subject lot is currently 4.0m in width, which is consistent with the 88b instrument applying to the land. The 88b states:

Part 2, 2iv: Vehicular access for Lots 1-6 inclusive is restricted to within 4 metres of the common boundary indicated by (AC) on the Deposited Plan.

The proposed 6.0m wide driveway will require Council to accept a variation to this restrictive covenant. The variation is considered acceptable based on:

- The proposed driveway remains consistent with other existing driveways along this section of Gregadoo Road and will not detrimentally impact the streetscape or character of this large-lot residential area;
- In comparison, the proposed driveway falls within the median range of driveway widths that Council has permitted in this area, which range from 4 metres to 12.5 metres from common boundaries (see Figure below);
- The proposed driveway width is consistent with DCP2010 Residential Development Control 9.4.4 C1 Garages carports, sheds and driveways, which nominates a maximum 6.0m width to development fronting a public road; and
- The proposal will meet the DCP2010 residential development objectives in relation to a development contributing positively to the streetscape and

character of a locality. The proposed driveway will not dominate the streetscape when viewed in context of surrounding existing development.



Figure 1: Driveway width analysis from common boundaries on Gregadoo Road (WWCCGIS 2021).

Council is requested to consider and accept the proposed driveway width as described in this SEE addendum and to exercise its powers to override the 88B instrument restriction on this basis.

If you have any questions, please do not hesitate to contact our office by emailing admin@salvestroplanning.com.au or calling (02) 6921 8588.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Garry Salvestro'.

Garry Salvestro
Director
Salvestro Planning

ATTACHMENTS:

1. Amended Site and Landscape Plan (Rev D) – Dated 19/08/21
2. Additional Information Lodgement Form